

COMMONWEALTH OF KENTUCKY  
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

ELECTRONIC APPLICATION OF	)	CASE NO.
ATMOS ENERGY CORPORATION	)	2018-00281
FOR AN ADJUSTMENT OF RATES	)	

ORDER

On November 8, 2018, the Commission entered an Order establishing a hearing to begin on Tuesday, April 2, 2019, at 9 a.m. Eastern Daylight Time, at the offices of the Public Service Commission at 211 Sower Boulevard, Frankfort, Kentucky. On the same day, Atmos Energy Company (Atmos) and the Office of Attorney General, by and through the Office of Rate Intervention (Attorney General) filed a Joint Motion to Reschedule Hearing (Joint Motion).

In support of the request to reschedule the hearing, Atmos contends that its primary policy witness has a conflict the week of April 1–April 5, 2019. Atmos further states that the presence of this witness at the hearing is necessary for the presentation of the issues related to the application, and no other witness can substitute for his testimony. Thus, Atmos and the Attorney General jointly request to reschedule the hearing for April 9, 2019.<sup>1</sup>

The Commission, having considered the Joint Motion, finds that by Order entered on October 26, 2018, the rates proposed by Atmos were suspended, pursuant to KRS

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<sup>1</sup> In what appears to be typographical errors, the Joint Motion requests the Commission to “reschedule the hearing scheduled for April 2, 2018 to April 9, 2018.” The Commission notes that the dates reflected in the Joint Motion should state 2019 instead of 2018.

278.190(2), for six months, up to and including May 7, 2019. The hearing in this case was scheduled on April 2, 2019, to provide sufficient time for the parties to respond to post-hearing requests for information, and to file post-hearing briefs to allow the Commission sufficient time to review and analyze the record, and to issue a decision by the end of the rate suspension on May 7, 2019. While the Commission is willing to accommodate the parties' request to delay the hearing, existing conflicts prevent the Commission from rescheduling the hearing to the week of April 9, 2019, as requested. However, the Commission is willing to reschedule the hearing to begin on Tuesday, April 16, 2019, at 9 a.m. Eastern Daylight Time, on the condition that Atmos shall not implement its proposed rates subject to refund earlier than May 22, 2019, which will extend the suspension period by two weeks commensurate with the delay in the hearing. If Atmos and the Attorney General are willing to accept this condition, they should individually or jointly file with the Commission within ten days from the date of this Order a statement of acceptance. Absence acceptance of this condition by both parties, the hearing will begin on April 2, 2019, at 9 a.m. Eastern Daylight Time, as originally scheduled.

IT IS HEREBY ORDERED that:

1. The Joint Motion is granted to the extent that the hearing shall be conditionally rescheduled to begin on Tuesday, April 16, 2019, at 9 a.m. Eastern Daylight Time, at the offices of the Public Service Commission at 211 Sower Boulevard, Frankfort, Kentucky if Atmos and the Attorney General file statements within ten days of the date of this Order accepting the condition that the proposed rates shall not be implemented subject to refund prior to May 22, 2019.

2. If either Atmos or the Attorney General do not file statements, individually

or jointly, accepting the condition to reschedule the hearing, then the hearing will proceed as originally scheduled and all witnesses will be required to attend.

3. Atmos shall give notice of the hearing in compliance with 807 KAR 5:001, Section 9(2)(b). In addition, the notice of hearing shall include the following statement: "This hearing will be streamed live and may be viewed on the PSC website, psc.ky.gov." At the time the notice is mailed or publication is requested, Atmos shall forward a duplicate of the notice and request to the Commission.

4. Pursuant to KRS 278.360 and 807 KAR 5:001, Section 9(9), a digital video transcript shall be made of the hearing.

5. Nothing contained herein shall prevent the Commission from entering further Orders in this matter.

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By the Commission

ENTERED  
NOV 20 2018  
KENTUCKY PUBLIC  
SERVICE COMMISSION

ATTEST:

  
Executive Director

Case No. 2018-00281

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